

ITM

Docket No.: 101328-0176
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Eric Feron

Application No.: 10/613,613

Confirmation No.: 4360

Filed: July 3, 2003

Art Unit: 3727

For: PASSIVE STABILIZATION SYSTEMS FOR
WHEELED OBJECTS

Examiner: T. M. Mai

First Class Mail (37 C.F.R. 1.8)

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail, in an envelop addressed to: Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313-1450 on the date set forth below.

November 16, 2005

By: *[Signature]*

Date of Signature and Mail Deposit

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RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This communication is in response to the Office Action dated August 16, 2005, requiring election of the above-referenced application to one of the following groups:

- I. Claims 1-10 and 32-41, drawn to luggage;
- II. Claims 11-20, drawn to a wheeled object; and
- III. Claims 21-31, drawn to stabilizing an object.

Applicants elects Group II (Claims 11-20), with traverse.

A restriction is proper where inventions are unrelated and it can be shown that they are not capable of use together and they have different modes of operation, different functions, or different effects. The Examiner argues that Groups I and II are unrelated because Group I is specific to luggage and Group II is specific to wheeled objects having a wheel assembly defined by coordinates.

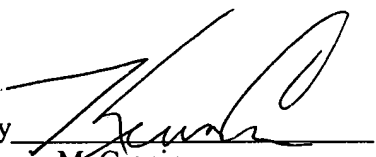
Applicant respectfully disagrees. As, the Examiner noted, Group I is directed to luggage and Group II is directed to a wheeled object. However, luggage is one type of wheeled object, and thus the Groups are clearly *related*. In fact, one could argue that Group I (luggage) falls within Group II (wheeled objects), since the luggage of Group I is wheeled. In addition, Examining Group I and II together would not be burdensome because both Groups are directed to wheeled objects.

With respect to Group III as related to Group II (and presumably Group I), the Examiner argues that Group II and III are related as combination and subcombination. However, again, Group II broadly requires a wheeled object. As such, Group II would appear generic to group I and III. Accordingly, Applicant respectfully requests withdrawal of the restriction requirement.

The Examiner is encouraged to telephone the undersigned attorney for Applicants if such communication is deemed to expedite prosecution of this application.

Respectfully submitted,

Dated: November 16, 2005

By 
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